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1 BILL NO. R-79-11-10

2
3 RESOLUTION NO. R- 74-79

4 A RESOLUTION finding, determining and ratifying an
5 inducement resolution of the Fort Wayne Economic
6 Development Commission authorizing the issuance and
7 sale of \$1,500,000 Economic Revenue Bonds of the
8 City of Fort Wayne, Indiana, for the purpose of in-
9 ducing the Applicant to proceed with the acquisition,
10 construction and equipping of the Project (Nabisco,
11 Inc.)

12 WHEREAS, the City of Fort Wayne, Indiana (the "Issuer") is
13 authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds
14 for the financing of economic development facilities, the funds
15 from said financing to be used for the acquisition, construction
16 and equipping of said facilities either directly or by loan to a
17 company and said facilities to be either directly owned by a
18 company or leased to a company or sold to a company; and

19 WHEREAS, Nabisco, Inc. (the "Applicant") has advised the
20 Fort Wayne Economic Development Commission and the Issuer that
21 it proposes that the Issuer acquire, construct and equip an
22 economic development facility and sell or lease the same to the
23 Applicant or that the Issuer loan the proceeds of such a financing
24 to the Applicant for such purposes said economic development
25 facility to be used for storage space containing 60,000 sq. ft. of
26 warehousing facilities to be located at Edgewood Industrial Park,
27 Fort Wayne, Allen County, Indiana, on approximately 3 acres (the
28 "Project"); and

29 WHEREAS, Nabisco, Inc. will guarantee all bond payments; and

30 WHEREAS, the diversification of industry and increase in
31 52 job opportunities with an estimated annual payroll of \$_____

32 to be achieved by the acquisition, construction and equipping of
the Project will be of public benefit to the health, safety and
general welfare of the Issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne
Economic Development Commission, it would appear that the finan-

1 cing of the Project would be of public benefit to the health,
2 safety and general welfare of the Issuer and its citizens; and

3 WHEREAS, the acquisition and construction of the facility
4 will not have an adverse competitive effect on any similar
5 facility already constructed or operating in or about Fort
6 Wayne, Indiana;

7 NOW, THEREFORE, BE IT RESOLVED by the Common Council of
8 Fort Wayne:

9 1. The Common Council finds, determines, ratifies and
10 confirms that the promotion of diversification of
11 economic development and job opportunities in and near
12 Fort Wayne, Indiana and in Allen County, is desirable
13 to preserve the health, safety and general welfare of
14 the citizens of the Issuer; and that it is in the public
15 interest that Fort Wayne Economic Development Commission
16 and said Issuer take such action as it lawfully may to
17 encourage diversification of industry and promotion of
18 job opportunities in and near said Issuer.

19 2. The Common Council further finds, determines, rat-
20 ifies and confirms that the issuance and sale of revenue
21 bonds in an amount not to exceed \$1,500,000 of the Issuer
22 under the Act for the acquisition, construction and
23 equipping of the Project and the sale or leasing of the
24 Project to the Applicant or the loaning of the proceeds
25 of such a financing to the Applicant for such purposes
26 will serve the public purposes referred to above, in
27 accordance with the Act.

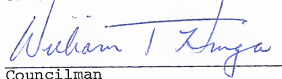
28 3. In order to induce the Applicant to proceed with
29 the acquisition, construction and equipping of the
30 Project, the Common Council hereby finds, determines,
31 ratifies and confirms that (i) it will take or cause to
32 be taken such actions pursuant to the Act as may be re-

quired to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

4. All costs of the Project incurred after the passage of this inducement resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

Adopted this ____ day of _____, 1979.

CITY OF FORT WAYNE


Councilman

Approved as to
form and legality



Read the first time in full and on motion by _____, seconded by _____

, and duly adopted, read the second time by title and referred to the City Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers: City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 11-13-79

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by J. Schmitt, seconded by Shiga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	<u>1</u>			
BURNS	<u>✓</u>				
HINGA	<u>✓</u>				
HUNTER	<u>✓</u>				
HOSES	<u>✓</u>				
NUCKOLS		<u>✓</u>			
SCHMIDT, D.	<u>✓</u>				
SCHMIDT, V.	<u>✓</u>				
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 11-27-79

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 7-74-79 on the 27th day of November, 1979.
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winifred C. Wingo Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1979, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 30th day of November, 1979 at the hour of 3 o'clock _____ M., E.S.T.

Robert E. Armstrong
MAYOR

Bill No. R-79-11-10

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred ~~an Ordinance~~ XXXXXXXXXX

a resolution finding, determining and ratifying an inducement
resolution of the Fort Wayne Economic Development Commission authorizing
the issuance and sale of \$1,500,000 Economic Revenue Bonds of the City
of Fort Wayne, Indiana, for the purpose of inducing the Applicant
to proceed with the acquisition, construction and equipping of the
Project (Nabisco, Inc.)

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance also PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

JAMES S. STIER

JOHN NUCKOLS

DONALD J. SCHMIDT

Vivian G. Schmidt
William T. Hinga
James S. Stier

Donald J. Schmidt

1/27-79 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

October 22, 1979

Mrs. Vivian Schmidt
City Councilwoman
City-County Building
Fort Wayne, Indiana 46802

Re: Nabisco, Inc.
Economic Development Commission Revenue Bonds

Dear Mrs. Schmidt:

On October 22, 1979, the Economic Development Commission passed an inducement resolution for Nabisco, Inc., authorizing a \$1,500,000 bond issue.

I am enclosing for the Common Council's consideration, a proposed inducement resolution, a copy of the inducement resolution passed by the EDC and a copy of the Report approved by the EDC.

If the Common Council has any questions concerning this issue, please feel free to contact me at 743-0171.

Respectfully submitted,

A handwritten signature in cursive script, reading "Wayne P. Simerman".

Wayne P. Simerman
President
Economic Development Commission

Enclosures



REPORT OF FORT WAYNE ECONOMIC
DEVELOPMENT COMMISSION REGARDING
FACILITIES TO BE CONSTRUCTED FOR
NABISCO, INC.

Having been furnished certain data by the Nabisco, Inc., and having had discussions with representatives of said Company, the Fort Wayne Economic Development Commission now submits the following report pursuant to Section 16, Public Law No. 182, Indiana Acts of 1973:

Description of Proposed Facilities

The proposed facilities will be a warehousing facility containing 60,000 sq. ft. located at Edgewood Industrial Park, Fort Wayne, Allen County, Indiana, on approximately 3 acres of land.

Estimate of Public Services Required

All public services which are required now exist in the vicinity of the property. Water and sanitary sewage facilities are located in that area. Water and sanitary sewage service will be available upon paying the required connection charges.

Total Project Cost

The project costs are estimated to be as follows: \$59,400 for land; \$75,000 for equipment; and \$1,365,600 for building materials, for a total of \$1,500,000.

Number of Jobs and Estimated Payroll

It is anticipated that there will be about 52 new jobs created by this Project.

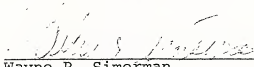
Effect on Pollution

There will be no adverse environmental impact anticipated by reason of the operation of the proposed project, with particular reference to air, noise or water pollution.

Additional School Facilities Required

The proposed facilities are within the area served by the Fort Wayne Community Schools.

Dated this 22nd day of October, 1979.


Wayne P. Simerman


John L. Nowlan

Quentin D. Ponder

Louis R. Dinwiddie


Jack Gren

RESOLUTION OF FORT WAYNE
ECONOMIC DEVELOPMENT COMMISSION

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to another person or directly owned by another person; and

WHEREAS, Nabisco, Inc. (the "Applicant") has advised the Fort Wayne Economic Development Commission and the Issuer that it proposes that the Issuer either acquire, construct and equip economic development facilities and sell or lease the same to the Applicant or loan proceeds of an economic development financing to the Applicant for the same, said economic development facilities to be located at Edgewood Industrial Park, Fort Wayne, Allen County, Indiana. The approximate size of the tract or parcel on which the project is to be situated is 60,000 sq. ft. on 3 acres of land.

WHEREAS, the diversification of industry and increase in job opportunities (52 new jobs) to be achieved, resulting in a payroll increase of approximately \$_____ annually, will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the facilities will not have an adverse competitive effect on any similar facility already constructed or operating in Fort Wayne, Indiana.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Economic Development Commission;

1. It finds and determines that the promotion of diversification of economic development and job opportunities in and near

Fort Wayne, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer, and that it is in the public interest that this Commission and the Issuer take such action as it lawfully may to encourage diversification of economic development and promotion of job opportunities in and near said Issuer.

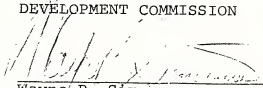
2. It further finds and determines that the issuance and sale of revenue bonds in an amount not to exceed \$1,500,000 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, this Commission hereby determines that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

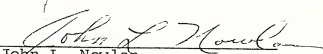
4. All costs of the Project incurred after the inducement resolution of the Issuer, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell or lease the same to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the Project.

Adopted this 22nd day of October, 1979.

FORT WAYNE ECONOMIC
DEVELOPMENT COMMISSION



Wayne P. Simerman



John L. Nowlan

Quentin D. Ponder



Jack Gren

Louis R. Dinwiddie